

In The United States Patent And Trademark Office

Appl. No.: 10/734,925 Confirmation No.: 2233
Applicant(s): Bernhard et al.
Filed: December 12, 2003
Art Unit: 3762
Examiner: George R. Evanisko
Title: ELECTRO STIMULATION TREATMENT APPARATUS AND METHOD
Docket No.: 941292-100001
Customer No.: 24239

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated July 6, 2009, rejecting the following Claims 1, 3, and 21.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☒ Applicant claims small entity Status.
- ☒ The fees are being paid via EFT (\$270.00).
- ☐ A check is enclosed.
(\$540.00 for large entity fee or \$270.00 if small entity status)
- ☐ Please charge Deposit Account No. 13-4365 for the Notice of Appeal Filing Fee.
- ☒ Any additional fee or refund may be charged to our
Deposit Account No. 13-4365.
- ☒ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,



W. Kevin Ransom
Registration No. 45,031

Customer No. 24239
MOORE & VAN ALLEN PLLC
430 Davis Drive, Suite 500
Post Office Box 13706
Research Triangle Park, NC 27709
Tel Charlotte Office (704) 331-3549
Fax Charlotte Office (704) 339-5800

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON January 5, 2010.